

AMENDED IN SENATE AUGUST 1, 2007

AMENDED IN SENATE JULY 12, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MAY 1, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1291

Introduced by Assembly Member Mendoza

(Principal coauthor: Senator Alquist)

(Coauthors: Assembly Members Caballero and DeSaulnier,

DeSaulnier, and Lieu)

(Coauthors: Senators Ridley-Thomas, Romero, and Scott)

February 23, 2007

An act to add Section 727.7 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1291, as amended, Mendoza. Antigang violence parenting classes.

Under existing law, if a minor has been adjudged a ward of the juvenile court, and the court finds that a specified notice has been given to the parent or guardian of the minor and orders that the parent or guardian shall retain custody of the minor either subject to or without the supervision of the probation officer, the parent or guardian may be required to participate with the minor in a counseling or education program, including, but not limited to, parent education and parenting

programs operated by community colleges, school districts, or other appropriate agencies designated by the court.

This bill would authorize the juvenile court, if a minor is found to be a ward of the court by reason of the commission of a gang-related offense, and the court finds that the minor is a first-time offender and orders that a parent or guardian retain custody of that minor, to order the parent or guardian to attend antigang violence parenting classes. The bill would require the Department of Justice to establish the curriculum of those classes, including specified criteria. The bill would provide that the father, mother, spouse, or other person liable for the support of the minor, the estate of that person, and the estate of the minor shall be liable for the cost of the classes, unless the court finds that the person or estate does not have the financial ability to pay.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 727.7 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 727.7. (a) If a minor is found to be a person described in
- 4 Section 602 by reason of the commission of a gang-related offense,
- 5 and the court finds that the minor is a first-time offender and orders
- 6 that a parent or guardian retain custody of that minor, the court
- 7 may order the parent or guardian to attend antigang violence
- 8 parenting classes.
- 9 (b) The Department of Justice shall establish curriculum for the
- 10 antigang violence parenting classes required pursuant to this
- 11 section, including, but not limited to, all of the following criteria:
- 12 (1) A meeting in which the families of innocent victims of gang
- 13 violence share their experience.
- 14 (2) A meeting in which the surviving parents of a deceased gang
- 15 member share their experience.
- 16 (3) How to identify gang and drug activity in children.
- 17 (4) How to communicate effectively with adolescents.
- 18 (5) An overview of pertinent support agencies and organizations
- 19 for intervention, education, job training, and positive recreational
- 20 activities, including telephone numbers, locations, and contact
- 21 names of those agencies and organizations.

1 (6) The potential fines and periods of incarceration for the
2 commission of additional gang-related offenses.

3 (7) The potential penalties that may be imposed upon parents
4 for aiding and abetting crimes committed by their children.

5 (c) For purposes of this section, “gang-related” means that the
6 minor was an active participant in a criminal street gang, as
7 specified in subdivision (a) of Section 186.22 of the Penal Code,
8 or committed an offense for the benefit of, or at the direction of,
9 a criminal street gang, as specified in subdivision (b) or (d) of
10 Section 186.22 of the Penal Code.

11 (d) The father, mother, spouse, or other person liable for the
12 support of the minor, the estate of that person, and the estate of
13 the minor shall be liable for the cost of classes ordered pursuant
14 to this section, unless the court finds that the person or estate does
15 not have the financial ability to pay. In evaluating financial ability
16 to pay, the court shall take into consideration the combined
17 household income, the necessary obligations of the household, the
18 number of persons dependent upon this income, and whether
19 reduced monthly payments would obviate the need to waive
20 liability for the full costs.